

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

United States of America)	Cr. No. 8:09-1205-HMH
)	
vs.)	
)	OPINION & ORDER
Terrance Terrell Dendy,)	
)	
Defendant.)	

This matter is before the court on Defendant's motion for a sentence reduction pursuant to the First Step Act, Pub. L. No. 115-391, December 21, 2018, 132 Stat. 5194. The Defendant's counsel has submitted a response stating that the Defendant is not entitled to relief, but requesting that the Defendant be permitted to file his own response. On April 29, 2019, the court ordered the Defendant to submit any reply within 15 days. The Defendant did not file any response. This matter is ripe for review.

On March 4, 2010, the Defendant pled guilty to one count of possession with intent to distribute crack cocaine in violation of 21 U.S.C. § 841(b)(1)(B) ("count 1"), one count of being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1) ("count 2"), and one count of possessing a firearm in connection with a felony in violation of 18 U.S.C. § 924(c)(1)(A) ("count 3"). Section 841(b)(1)(B) provides for a mandatory minimum sentence of 10 years. On May 25, 2010, the Defendant was sentenced to 180 months' imprisonment, consisting of 120 months on counts 1 and 2, to be served concurrently; and 60 months on count 3, to be served consecutively. On December 19, 2016, the Defendant's sentence was commuted by grant of executive clemency, which provided that his sentence expire on December 19, 2018. The Defendant was released from imprisonment on December 19, 2018.

After review, the Defendant's motion is denied because he has already satisfied his term of imprisonment. Further, the Defendant does not qualify for a reduced term of supervised release because he was sentenced to a term of supervised release below the mandatory minimum. Based on the foregoing, the Defendant's motion, docket number 80, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

May 23, 2019
Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

Movant is hereby notified that he has the right to appeal this order within fourteen (14) days from the date hereof, pursuant to Rule 4 of the Federal Rules of Appellate Procedure.